

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FRANK UMBLE,

Plaintiff,

vs.

STATE FARM INSURANCE FIRE AND
CASUALTY COMPANY,

Defendant.

8:23CV507

**FINAL PROGRESSION ORDER
(AMENDED)**

The Court grants the parties' Joint Motion to Amend the Final Progression Order.
[Filing No. 28](#).

Accordingly,

IT IS ORDERED that the final progression order is amended as follows:

- 1) The trial and pretrial conference will not be set at this time. A status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on **November 5, 2024 at 1:00 p.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the defendant(s):

October 1, 2024.

- 3) The deadlines for complete expert disclosures¹ for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): July 31, 2024.

For the defendant(s): October 18, 2024.

- 4) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is November 1, 2024.
- 5) The deadline for filing motions to dismiss and motions for summary judgment is December 6, 2024.
- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is December 6, 2024.
- 7) Except as otherwise provided by Court order, all other deadlines and provisions in the Court's final progression order, [Filing No. 11](#), remain unchanged.

Dated this 15th day of July, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.